



4-25-07

RCE  
WJ

Express Mail Mailing Label No.: EV926975888US

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

ADDRESS TO: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application No.	10/660,444
	Filing Date	September 11, 2003
	First Named Inventor	Chanduszeko
	Group Art Unit	3734
	Examiner Name	Andersen, Michael T.
	Attorney Docket No.	NMT-015

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTES**

**RCE v. CPA:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**FEE AND SUBMISSION REQUIRED:** A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

**RCE APPLIES TO:** An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

**RCE DOES NOT APPLY TO:** (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

**SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

- ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ☒ Amendment and Response enclosed. (9 pgs.)
- ☐ Affidavit(s)/Declaration(s) enclosed.
- ☐ Supplemental Information Disclosure Statement (IDS) enclosed.
- i. ☐ Supplemental Form PTO-1449
- ii. ☐ Copies of IDS Citations
- ☐ Other \_\_\_\_\_

**2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114**

- a. ☒ Applicant claims small entity status.
- b. ☐ A Petition for an extension of time is enclosed.
- c. ☒ A check in the amount of \$ 395.00 is enclosed to cover the small entity RCE submission fee.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ \_\_\_\_\_, to Deposit Account No. 50-1721.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-1721.

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395.00 DP

### 3. MISCELLANEOUS

- a. ☒ Return Receipt Postcard enclosed.  
b. ☒ Fee Transmittal enclosed (1 page).  
c. ☐ Other \_\_\_\_\_.

#### CORRESPONDENCE ADDRESS


Direct all correspondence to:

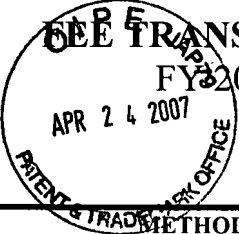
Patent Administrator  
Kirkpatrick & Lockhart Preston Gates Ellis LLP  
State Street Financial Center  
One Lincoln Street  
Boston, MA 02111  
Tel. No.: (617) 261-3100  
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#### SIGNATURE BLOCK

Respectfully submitted,

Date: April 24, 2007  
Reg. No. 44,244  
Tel. No.: (617) 261-3167  
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Ronda P. Moore, D.V.M.  
Attorney for the Applicant  
Kirkpatrick & Lockhart Preston  
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State Street Financial Center  
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Boston, MA 02111

		Complete if Known	
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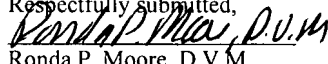
  

<b>METHOD OF PAYMENT</b> 1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other 2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-1721. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. 3. <input type="checkbox"/> Applicant claims small entity status.	<b>FEE CALCULATION (continued)</b> <b>3. ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee (\$)</th> <th style="text-align: left;">Small Entity Fee (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>120</td><td>60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1020</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1590</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2160</td><td>1080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>500</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>500</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1000</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>400</td><td>400</td><td>Petitions to the Commissioner (Gp. I)</td><td></td></tr> <tr><td>200</td><td>200</td><td>Petitions to the Commissioner (Gp. II)</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner (Gp. III)</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Supplemental Information Disclosure Statement</td><td></td></tr> <tr><td>790</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>790</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr><td>130</td><td>65</td><td>Submission of Terminal Disclaimer</td><td></td></tr> <tr><td>790</td><td>395</td><td>Request for Continued Examination (RCE) (37 CFR 1.114)</td><td></td></tr> <tr><td></td><td></td><td></td><td style="text-align: right;">395.00</td></tr> </tbody> </table> <div style="text-align: right;"> <b>SUBTOTAL (3)</b>    (\$ ) 395.00         </div>	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1020	510	Extension for reply within third month		1590	795	Extension for reply within fourth month		2160	1080	Extension for reply within fifth month		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1000	500	Request for oral hearing		400	400	Petitions to the Commissioner (Gp. I)		200	200	Petitions to the Commissioner (Gp. II)		130	130	Petitions to the Commissioner (Gp. III)		180	180	Submission of Supplemental Information Disclosure Statement		790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		790	395	Request for Continued Examination (RCE) (37 CFR 1.114)					395.00
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<b>CORRESPONDENCE ADDRESS</b> Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Preston Gates Ellis LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175	<b>SIGNATURE BLOCK</b> Date: April 24, 2007 Reg. No.: 44,244 Tel. No.: (617) 261-3167 Fax No.: (617) 261-3175  Respectfully submitted,  Ronda P. Moore, D.V.M. Attorney for the Applicants Kirkpatrick & Lockhart Preston Gates Ellis LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950
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